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RUEHNE/AMEMBASSY NEW DELHI PRIORITY 2072
RUEHNY/AMEMBASSY OSLO PRIORITY 4402
RUEHKO/AMEMBASSY TOKYO PRIORITY 3497
RUEHCG/AMCONSUL CHENNAI PRIORITY 8526
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RUEHON/AMCONSUL TORONTO PRIORITY 0667
RUEHGV/USMISSION GENEVA PRIORITY 2799
RHHMUNA/HQ USPACOM HONOLULU HI PRIORITY
RHEFDIA/DIA WASHINGTON DC PRIORITY
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C O N F I D E N T I A L SECTION 01 OF 05 COLOMBO 000528

SIPDIS

DEPARTMENT FOR SCA/INS

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TAGS: [PGOV](#) [PHUM](#) [PTER](#) [MOPS](#) [PREL](#) [CE](#)

SUBJECT: SRI LANKA: DEFENSE MINISTRY MOBILIZES AGAINST
MEDIA CRITICS

REF: COLOMBO 507

Classified By: AMBASSADOR ROBERT O. BLAKE, JR. REASONS: 1.4(b,d).

11. (C) SUMMARY: The Defense Secretary summoned two media workers from the government-owned publishing house. He reportedly harangued them for over two hours for participating in a rally to protest the abduction and beating of defense journalist Keith Noyahr. The journalists told us that Gothabaya told them that "groups that revere Army Commander Fonseka" would kill them if they persisted in their campaign for media freedom. Five media organizations released a letter to the Defense Secretary deploring his actions. Several other journalists reported surveillance, harassment and intimidation by shadowy groups likely linked to the Defense Ministry. The CEO of the independent newspaper Noyahr works for has fled the country. The paper's editor told us he fears for his life and for his family and may seek temporary refuge abroad. The paper's majority owner is reportedly negotiating to divest his shares in the company. Government spokesmen have generally been dismissive of the threats to the media. The Defense Ministry will reportedly seek draconian censorship and criminal defamation legislation to shut down any criticism of the government's conduct of the war. The campaign against media critics of the administration appears aimed at discovering their sources within the military's disgruntled officer corps and is likely linked to the Army Commander's effort to gain another extension of his term beyond the normal retirement age. End summary.

Defense Secretary Threatens Media Workers

12. (U) On May 23, following the abduction and brutal assault on the defense correspondent of the weekly "Nation" (reftel), the Working Journalists Association, Federation of Media Employees trade union, Sri Lanka Muslim Media Forum, Sri Lanka Tamil Journalists Association, and the Free Media Movement held a protest rally at Colpetty junction (near the President's residence and office as well as the U.S. Embassy). The demonstrators demanded that the government bring the perpetrators of the attack on Noyahr to justice.

13. (SBU) Sunanda Deshapriya, the founder of the Free Media Movement, accompanied Sanath Balasuriya and Poddala Jayantha, the President and General Secretary of the Sri Lanka Working Journalists Association, to a meeting with DCM and Pol Chief on May 28. Balasuriya and Jayantha are also employees of the government-owned Lake House media group, which publishes the Daily News and vernacular newspapers. (They explained that they had been subject to an informal ban on writing for about two years and had been relegated to performing administrative work within Lake House.) According to Balasuriya and Jayantha, Lake House chairman Bandula Padmakumara informed them on May 26 that Defense Secretary Gothabaya Rakapaksa was summoning them to a meeting, which took place the same day.

14. (C) Balasuriya and Jayantha reported that when they entered Rajapaksa's office, Padmakumara and Media Centre for National Security head (and Presidential media advisor) Lakshman Hulugalle were already inside. Rajapaksa harangued them for two and half hours, they said. Padmakumara and Hulugalle thwarted three attempts they made to break off the meeting and leave. Deshapriya, who speaks English more fluently than Balasuriya and Jayantha, largely provided the following account of their encounter with the Defense Secretary. Rajapaksa said that as Lake House employees, they were government servants who had no rights to take part in protests. Further, he said that criticism of the military leadership, particularly Army Commander Sarath Fonseka, and the conduct of the war would not be tolerated. He told the media workers that there were large numbers of military

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personnel who "revered Fonseka like a God," and that he could not control these people. The reporters said that he threatened them with death, saying that if they persisted in their criticism "people who know how to do it will finish you off."

15. (C) The journalists responded that the rally they attended was for the purpose of highlighting the assault on Noyahr. Rajapaksa replied that they were "not here to discuss that. You are here to listen to me." Hulugalle said that he had videotapes of a speech by Balasuriya in which he criticized Fonseka. (Balasuriya told us he had made such a speech but never mentioned Fonseka by name.) Rajapaksa told them such conduct was equivalent "to becoming a suicide bomber," like journalist Munusami Parameshwari of the newspaper Mawbima (since defunct), who was detained for four months last year for writing critical articles. Deshapriya noted that Parameshwari gave up her profession after her family was subsequently attacked at home by Sinhalese extremists. He said the Free Media Movement had helped the family find refuge in India.

16. (C) Rajapaksa reportedly went on to say that the investigation of the Noyahr incident would lead nowhere. "There will be no investigation. It will reach a certain point and stop. No one will be able to find out what happened." He castigated journalists in general for focusing attention on Sri Lanka's human rights record. "Human rights mean nothing. We do not want to be bothered about it while we're fighting a war. Because of the international campaign, we can't arrest anyone. But I don't care; I will do what I want. The military will campaign for criminal defamation laws to stop all this. The fundamental rights provisions of the Constitution have to be repealed."

"Reprimand of senior journalists unacceptable"

17. (U) On May 28, the five media organizations which had called for the protest condemned the threats against their colleagues, issuing a joint statement which reads, in part (begin citation):

"We are extremely disappointed and very concerned to discover

that you summoned and reprimanded Sanath Balasuriya and Poddala Jayantha... over the protest campaign organised by our five media organisations against the abduction and inhuman assault of The Nation journalist Keith Noyahr... We held this protest campaign peacefully and under the freedom of expression enshrined in our constitution. We openly stated that if the government does not apprehend the culprits and attempts to impair and impede the investigation, we hold it responsible for this heinous crime. We understand that your position as articulated to the President and General Secretary of the SLWJA over two hours spent in your office was as follows:

- That it is unacceptable to criticise the armed forces whilst working in state newspapers.
- That anyone other than the leaders of the armed forces can be criticised.
- That the aim of our protest was to criticise the armed forces and that cannot be permitted.
- If both journalists continue criticising the military, neither the Secretary of Defence nor the regime are in a position to prevent action taken against them by groups or persons who revere the Army Commander." (end citation)

¶8. (C) Balasuriya and Jayantha said the Defense Secretary had expressed anger at other journalists, including Nation editor Lalith Allahakoon and Defense columnist Iqbal Athas: "what he's doing is very harmful." Athas told Pol chief that pressure on him had increased considerably since Noyhar's abduction. He complained that the private radio station TNL

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(note: owned by the brother of opposition leader Ranil Wickremesinghe) had aired a talk show insulting Athas, which he said consisted of "an hour of vulgar vituperation." Athas linked this to the Defense Secretary's "offensive" against the media.

Newspaper Executives fear for their lives, families

¶9. (C) Allahakoon told DCM, Pol Chief and Public Affairs Counselor on May 29 that he had called President Rajapaksa immediately on the night of Noyahr's disappearance and that the President had said he would "do everything" to assure Noyahr's return. Allahakoon credited the intensive campaign he and other friends of Noyahr mounted overnight with saving the journalist's life. Allahakoon believed that the purpose of the abduction and beating of Noyahr was to try to determine which military commanders were leaking information to journalists. He reported that Noyahr had told him he had received threats that his family would be the next victims if he spoke about his abduction. Therefore, Noyahr would not make a statement to police about what happened to him. He told us that the Nation editorial offices and his home were under surveillance, and that he had received threats. Padmakumara had called him and told him to be very careful. He had moved his family from their home to a commercial district hotel as a precaution, but his children were afraid to leave the hotel to go to school. He was seeking to leave Sri Lanka temporarily until the current crisis subsided, he said.

¶10. (C) Allahakoon said that Chrisantha Cooray, the CEO of the company that publishes the Nation and its Sinhala-language sister newspaper Rivira, had fled to London. Nation staff were afraid to report to work because of the heavy surveillance of its offices. He also feared the consequences of not publishing a paper on Sunday, since the government might regard this as an affront. He had therefore asked the editor of a small-circulation weekly to put out an innocuous, slimmed-down edition to avoid incurring the government's displeasure. Sri Lankan media reported on June 1 that Cooray had resigned from the publishing company and that the London-Based Sena Yaddahige, 51% owner of the newspapers, was negotiating to sell his remaining stake to Sujit "Nissanka" Rajapaksa. (Note: the relationship between

Nissanka and the family of President Rajapaksa is not established.)

Further reports of harassment and intimidation

¶11. (SBU) There have been several other incidents of harassment and intimidation of journalists in recent days:

-- Another contributor to the Nation complained to the police that a white van was following her. When she confronted the occupants of the car, they began to question her about her work as a journalist. On Thursday she reported to police that someone had slashed the throat of a rooster and left the carcass outside her office. A group of unidentified men in a jeep were surveilling her house.

-- The Free Media Movement issued a statement on May 31 that an unknown group had invaded the residence of the defense reporter of the Sinhala-language Divaina at 4 a.m. and threatened him. When he protested that he was a veteran and that his brother was missing in action against the Tamil Tigers, the group told him that regardless of who he was, reporting of matters related to defense was to stop immediately.

-- The Sri Lanka Press Institute reported that on May 27 armed men dressed in Army uniforms entered its offices and

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inquired about the identities of those working there. They refused to identify themselves but said they were with military intelligence. The Press Institute refused them access, or to provide such information. Military spokesman Nanayakkara later denied that the intruders could have been from the armed forces, stating that there was no authority for military intelligence to make such inquiries.

-- On May 28, Tamil journalist P. Devakumar, who worked for both Sirasa and MTV, was stabbed to death, along with a companion, on the way to his home near Jaffna. It appears unlikely, however, that this murder, one of several killings of journalists in Jaffna in the last two years, was closely related to the other recent cases in Colombo.

Government spokesmen don't see a problem

¶12. (SBU) At a regularly scheduled military affairs briefing on May 29, Director of the Media Hulugalle reacted to sharp questioning by reporters by saying that Lake House journalists had no right to question government policies or get involved in protests. He defended Defense Secretary Rajapaksa's summoning of the media workers and claimed that it had no connection to the Noyahr abduction. Government Defense spokesman Rambukwella agreed that "the workers of a state institution cannot express ideas against state policies and they cannot engage in politics." When reminded that both individuals had supported Mahinda Rajapaksa's 2005 campaign for the presidency, Rambukwella laughed and speculated that the Defense Secretary might have summoned the two to thank them. "It shows that the gratitude for the duo has not been forgotten even after two years."

¶13. (C) Media Minister (and Government Spokesman) Anura Priyadarshana Yapa later contradicted Hulugalle at a briefing following the weekly cabinet meeting, noting that Lake House employees did enjoy both trade union rights and the right of free speech. The government has yet to resolve discrepancy between his position and Hulugalle's. Yapa reportedly counseled Balasuriya and Jayantha to keep a low profile. Referring to their administrative work at Lake House, he said, "Don't worry about your pensions. Look after your lives!"

¶14. (C) DCM raised the issue of the Noyahr abduction and its

aftermath with Foreign Secretary Palitha Kohona on May 28. Kohona said the attack on Noyahr "puzzled" the GSL because there is "no obvious villain." He said three police units have been deployed to investigate, but have made little progress. He commented that Noyahr was not particularly critical of anyone and that he couldn't imagine who would want to hurt him. DCM pointed out that Noyahr had written an article critical of the Army Commander recently and added that Noyahr was reluctant to give a statement about his attackers because he feared retaliation against his family. Kohona dismissed this as a "poor excuse," adding that "if someone wanted to attack his family, they would have done it already." DCM emphasized that other journalists are frightened by the attacks on journalists and some are looking to leave the country because they fear for their lives. Kohona laughed and said they were just looking for any excuse to leave. He described the attacks on journalists as an "unnecessary distraction," saying the GSL doesn't need any additional problems to deal with and certainly wouldn't be behind the attacks. He added that the killing of Tamil journalist P. Devakumar in Jaffna on May 28 was likely the work of "other groups" operating in the area.

¶15. (C) COMMENT: Embassy considers the journalists' accounts of the Defense Secretary's thinly veiled threats credible, and consistent with previous reported behavior by Gothabaya Rajapaksa. President Chandrika Kumaratunga

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appointed the two Lake House media workers to their positions at the head of the Working Journalists Association, an organization created by an Act of Parliament. They are both Sinhalese and considered close to the ruling SLFP; the same applies to Nation editor Allahakoon. The groups responsible for following, surveilling, threatening and, in the case of Keith Noyahr, abducting and beating journalists, are widely believed to be linked to the Defense Ministry. The current wave of intimidation against journalists appears to be part of a "plumbing" operation to discover the source of leaks to media about military information, and particularly stories critical of the Army Commander. Fonseka is unpopular among the senior army officer corps and reviled by his fellow service commanders, particularly Navy Commander Karannagoda. Several of them have been talking to the media about Fonseka and Gothabaya's conduct of the war. With the government vulnerable on several fronts, but especially inflation, it is essential to the President's domestic political strategy that the Sinhalese public perceive the government as winning the war against the Tamil Tigers. Fonseka, who has made himself politically indispensable to the Rajapaksa administration, is expected to gain an extension of his term beyond the normal retirement age. (He would otherwise have to leave in September 2008.) In this context, Gothabaya Rajapaksa finds any criticism of Fonseka and the army's war effort intolerable and will go to great lengths to shut it down. Our sources have alerted us that the Defense Ministry will push for onerous war censorship and criminal defamation legislation soon.

BLAKE